

REMARKS

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claims 1-6 have been canceled without prejudice or disclaimer. New claims 7-14 have been added. Claims 7-14 are supported by at least Figures 1-3 and the description of those Figures at pages 3-4 of the English version of the present application. Changes made to the application by the present amendments are shown in the attached Version with Markings to Show Changes Made.

Objections and §112 Rejections

The specification of the application has been amended to include additional headings as suggested by the Examiner.

Claim 3 was objected to under 37 CFR 1.75(c) as being of improper dependent form. Claim 3 has been canceled without prejudice or disclaimer, rendering this rejection moot.

Claims 1-6 were rejected under 35 USC §112, second paragraph, as being indefinite. Claims 1-6 have been canceled without prejudice or disclaimer, rendering this rejection moot.

§102 Rejections

Claims 1-5 were rejected under 35 USC §102(b) as being anticipated by Schott, Jr., US 3,980,418. Applicants respectfully traverse this rejection to the extent it is maintained. Claims 1-5 have been canceled without prejudice or disclaimer, rendering this rejection moot. However, since new claims 7-14 track some of the limitations of canceled claims 1-5, Applicants will address the Schott reference below. Applicants do not concede the correctness of this rejection.

Schott discloses a bubble guide assembly 18 for use in a blown film process of extruding tubes. The guide assembly includes guide members 20 that are aligned in a circular

arrangement so as to extend around an outer surface of the tube 14. Each guide member 20 includes an elongate, longitudinally extending arcuate spindle 22 upon which a series of short rollers 24 are disposed to engage the exterior of the tube 14. Spindle 22 is supported at each end by brackets 26, which in turn are supported by arcuate frame member 28. A series of shafts 30, 34, arms 32, rods 42, cranks 40, and rings 36 are used to vary the shape and relative arrangement of the guide members 20 via the spindle 22, brackets 26 and frame member 28 to accommodate different tube sizes.

The guide members 20 of guide assembly 18 are not intended to calibrate or alter the size of the tube they come in contact with. The purpose of guides 20 is merely to support the tube, rather than being configured so that "contact between the outer surface of the pipe and the calibrating tools adjusts the outer diameter of the pipe," as required by claim 7. Further, the guide assembly 18 disclosed by Schott fails to disclose adjustment arms that are each secured to a separate lamellae, or lamellae that are individually adjustable relative to an outer surface of the pipe, as required by claim 7. The guide members 20 disclosed by Schott are interconnected with various shafts, arms, rods, cranks and rings such individual adjustment of the guide members in the radial position would not be possible without affecting the position of other connected guide members. Therefore, Schott fails to disclose every limitation of claims 7-13.

As to claim 14, Schott fails to disclose a calibrating tool that includes "an arm and at least one roller secured to the arm, the at least one roller being configured to contact the outer surface of the pipe, the calibrating tools being individually radially adjustable to alter a position of the roller relative to the pipe," as required by claim 14. The guide members 20 disclosed by Schott are not individually radially adjustable. Therefore, Schott fails to disclose every limitation of claim 14.

Claims 1 and 4 were rejected under 35 USC §102(e) as being anticipated by Pedersen, US 5,891,481. Applicants respectfully traverse this rejection to the extent it is maintained. Claims 1 and 4 have been canceled without prejudice or disclaimer, rendering this rejection moot. However, since new claims 7-14 track some of the limitations of canceled claims 1 and 4, Applicants will address the Pedersen reference below. Applicants do not concede the correctness of this rejection.

Pederson discloses a plurality of split rings 16 aligned adjacent to each other in the direction of extension of a pipe 14. The rings each have a split 18, and the splits of the rings are offset from each other. The rings may be compressed in a controller manner using wedge clamp rods 24, 26 to control the diameter of the pipe 14. However, Pederson fails to disclose a plurality of lamellae and a plurality of adjustment arms, as required by claim 7. Pedersen further fails to disclose an adjustment arm being secured to separate lamellae, or lamellae that are individually adjustable radially relative to the outer surface of the pipe, as required by claim 7. Therefore, Applicants submit that Pederson fails to disclose every limitation of claims 7-13.

Provisional Double Patenting Rejection

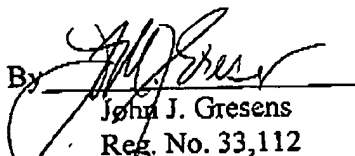
Claim 6 was provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 5 of copending Application No. 09/787 in view of Pedersen. Claim 6 has been canceled without prejudice or disclaimer, rendering this rejection moot. Applicants do not concede the correctness of this rejection.

In view of the above, Applicants respectfully request reconsideration of the application in the form of a Notice of Allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, John J. Gresens (Reg. No. 33,112), at (612) 371.5265.

Respectfully submitted,

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Version With Marking to Show Changes Made

In the Specification

The following has been inserted at page 1, after line 1 of the specification:

--BACKGROUND OF THE INVENTION--

The following has been inserted at page 2, after line 5 of the specification:

--SUMMARY OF THE INVENTION--

The following has been inserted at page 3, after line 12 of the specification:

--BRIEF DESCRIPTION OF THE DRAWINGS--

The following has been inserted at page 3, after line 24 of the specification:

--DETAILED DESCRIPTION OF THE INVENTION--

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